

**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

In the Matter of	)	
	)	
Service Rules for the 698-746, 747-762	)	WT Docket No. 06-150
and 777-792 MHz Bands	)	
	)	
Revision of the Commission’s Rules to Ensure	)	CC Docket No. 94-102
Compatibility with Enhanced 911 Emergency	)	
Calling Systems	)	
	)	
Section 68.4 of the Commission’s Rules	)	WT Docket No. 01-309
Governing Hearing Aid-Compatible Telephones	)	
	)	
Biennial Regulatory Review – Amendment of	)	WT Docket No. 03-264
Parts 1, 22, 24, 27 and 90 to Streamline and	)	
Harmonize Various Rules Affecting Wireless	)	
Radio Services	)	
	)	
Former Nextel Communications, Inc.	)	WT Docket No. 06-169
Upper 700 MHz Guard Band	)	
Licenses and Revisions to Part 27 of	)	
the Commission’s Rules	)	
	)	
Implementing a Nationwide, Broadband	)	PS Docket No. 06-229
Interoperable Public Safety Network in	)	
the 700 MHz Band	)	
	)	
Development of Operational, Technical and	)	WT Docket No. 96-86
Spectrum Requirements for Meeting Federal,	)	
State and Local Public Safety Communications	)	
Requirements Through the Year 2010	)	

**Reply Comments of  
The Office of the Chief Technology Officer – District of Columbia**

The District of Columbia (“District”) Office of the Chief Technology Officer has read with interest the nearly 100 comments submitted in response to the Further Notice of Proposed Rulemaking (“FNPRM”) and is pleased to provide these Reply Comments.

Recently, the Commission granted the National Capital Region (“NCR”) a waiver to operate broadband technologies in the current wideband allocations<sup>1</sup> and awarded the District an experimental license. Both the waiver and experimental license contemplate a broadband wireless network using one 1.25 MHz channel pair in the upper 700 MHz public safety spectrum.<sup>2</sup> The NCR is now using this single channel pair successfully to test and prepare for the full deployment of the first section of the National Capital Region’s Regional Wireless Broadband Network (“RWBN”). Furthermore, the District has operated a pilot broadband network, the Wireless Accelerated Responder Network (“WARN”), for over two and a half years using a single 1.25 MHz channel pair.

Because an emergency incident might arise anywhere, public safety networks must be capable of supporting public safety personnel responding to an incident at any location within the jurisdiction. The District has learned through its experience with the WARN pilot that up-linking of multiple video streams to users in close proximity (as would occur when multiple users responded to the same emergency event) seriously burdens the single-channel system. To provide adequate video capacity in an emergency, the RWBN will require more spectrum than the single channel pair covered by the experimental license. The single channel pair will deliver the needed capabilities to some, but not to enough, of our emergency personnel.

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<sup>1</sup> Request by National Capital Region for Waiver of the Commission’s Rules to Allow Establishment of a 700 MHz Interoperable Broadband Data Network, WT Docket No. 96-86, DA 07-454, 22 FCC Rcd 1846 (Jan. 31, 2007).

<sup>2</sup> WE2XBK, granted March 16, 2007 (File 0109-EX-PL-2007). *See* Public Notice, Report No. 401, “Experimental Actions,” (rel. May 3, 2007).

The District is a founding member of the Spectrum Coalition for Public Safety (“Spectrum Coalition”), which prepared an analysis in October 2005 of public safety spectrum needs.<sup>3</sup> The analysis concluded that public safety requires 25 MHz of spectrum to meet base capacity requirements. Further, the analysis found that an additional 5 MHz of spectrum is needed to support both vehicular repeaters and peer-to-peer communications. As we test our new RWBN system, these conclusions are proving accurate.

As a result of our experience with the WARN system, we are concerned that a proposal to reserve only a single 1.25 MHz channel pair for a state or local broadband network separate from (but interoperable with) a national broadband network<sup>4</sup> shortchanges state and local public safety agencies. Reserving only a single 1.25 MHz pair for use by non-national broadband networks ensures that such networks will be unable to meet the advanced communications needs of state and local agencies in the event of an emergency. In the District, where the strong presence of both local and federal public safety agencies makes it crucial that *all* public safety officials interoperate over shared spectrum and via a common technology, limiting the network to only 1.25 MHz paired is particularly damaging.

Some have asserted that the NCR waiver is proof that state and local governments need only 2.5 MHz of spectrum for data. This assumption is false; the requested 2.5 MHz was as much spectrum as the NCR could obtain at the time. In its quest to secure broadband capabilities in the wideband spectrum, the NCR submitted a waiver that accommodated a known Region 20 desire for the flexibility to possibly deploy wideband in the remaining portions of the spectrum.

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<sup>3</sup> “Public Safety Spectrum: How Much Do We Need for Data?” attached to letter from Bill Butler, Spectrum Coalition for Public Safety, to Marlene H. Dortch, FCC Secretary, WT Docket No. 05-157 (Oct. 27, 2005) (“Spectrum Coalition White Paper”).

<sup>4</sup> Comments of the National Public Safety Telecommunications Council, page 19 (May 23, 2007).

Essentially, this waiver was a first step of many for broadband in the NCR and Region 20. In light of our experience operating WARN and the conclusions of the Spectrum Coalition White Paper, we are convinced that meeting the demands of federal, state and local public safety agencies for data services requires 30 MHz of spectrum, and not just the 12 MHz of non-narrowband spectrum discussed in the FNPRM in this proceeding.

In reply comments filed today, the Spectrum Coalition urges the Commission to retain the current practice of licensing 700 MHz spectrum to state and local public safety entities, as sanctioned by the RPCs, thereby leaving control of all of the non-narrowband 700 MHz public safety spectrum in the hands of the RPCs.<sup>5</sup> We fully support the Spectrum Coalition's position. In addition, as the operator of an experimental public safety broadband network, we share our experience in an effort to prevent adoption of a proposal that would limit the amount of spectrum usable for non-national networks, because such a limitation would prevent non-national networks from meeting the needs of state and local public safety agencies.

In the National Capital Region, we already have what could be the beginnings of a nationwide wireless broadband public safety network based on common standards-based technologies currently in use by commercial service providers, providing true interoperability.

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<sup>5</sup> Reply Comments of the Spectrum Coalition for Public Safety, page 5 (June 4, 2007).

The Commission should not obstruct its success by artificially restricting its access to the non-narrowband public safety spectrum in the 700 MHz band.

Respectfully submitted,

/s/

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Dated: June 4, 2007